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*Attorneys for Plaintiffs Mark Brnovich  
and the State of Arizona*

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Mark Brnovich, in his official capacity as Attorney General of Arizona; *et al.*,

Plaintiffs,

V.

Joseph R. Biden in his official capacity as President of the United States; *et al.*,

## Defendants

No. 2:21-cv-01568-MTL

## PARTIES' JOINT RESPONSE TO ORDER TO SHOW CAUSE

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1 Plaintiffs (the “State”) and Defendants (“DHS”) jointly respond to this Court’s Order  
2 to Show Cause, (Doc. 227) and apologize for their failure to timely file the Joint Case Report.  
3 This missed filing was the result of both parties’ failure to properly calendar the deadline. This  
4 oversight was exacerbated by the press of business, which has been particularly heavy of late  
5 and compounded by staff departures in recent weeks at the Arizona Attorney General’s Office.

6 The State and DHS have taken internal administrative steps to more carefully track  
7 deadlines in this case and ensure that such an oversight does not happen again.

8 Concurrent with this Response, the parties are also filing their Joint Proposed Case  
9 Management Report.

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11 RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of October, 2022.  
12

13 **MARK BRNOVICH**  
14 **ATTORNEY GENERAL**

15 By: /s/ James K. Rogers  
16 Joseph A. Kanefield (No. 15838)  
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18 *Attorneys for Plaintiffs Mark Brnovich and the State of*  
19 *Arizona*

20  
21 By: /s/ Elissa Fudim  
22 Elissa Fudim  
23 Trial Attorney  
24 U.S. Department of Justice, Civil Division  
25 Office of Immigration Litigation,  
District Court Section  
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28 Counsel for Defendants

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on this 24<sup>th</sup> day of October, 2022, I electronically filed the  
3 foregoing with the Clerk of the Court for the United States District Court for the District of  
4 Arizona using the CM/ECF filing system. Counsel for all Defendants who have appeared are  
5 registered CM/ECF users and will be served by the CM/ECF system pursuant to the notice  
6 of electronic filing.

7                   /s/ James K. Rogers

8                   *Attorney for Plaintiffs Mark Brnovich, in his official  
9 capacity as Attorney General of Arizona; and the State of  
10 Arizona*

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